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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,413	12/10/2001	Yun Lung Chen	2244	7590

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ANDREW C. CHENG
FOXCONN INTERNATIONAL, INC.
458 E. LAMBERT ROAD
FULLERTON, CA 92835

EXAMINER

ANDERSON, GERALD A

ART UNIT PAPER NUMBER

3637

DATE MAILED: 03/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/016,413

Applicant(s)

CHEN ET AL.

Examiner

JERRY A ANDERSON

Art Unit

3637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6,7,9,10 and 12-14 is/are rejected.
- 7) ☒ Claim(s) 5,8 and 11 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-4, 6, 7, 9, 10, 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cook et al in view of Liu et al and Gan. Cook is cited showing a base 10 with a plate with a flange 42, slots 44 and a locking tab 16a with a hole, a bar 30 is guided by the flange and has slots 33, a tab 36 with a operating block 38 with a hole aligning with the locking tab hole and a blocking section 40, a panel 22 has tabs 22d which engage the slots of the bar and the plate and another panel has a catch 60 blocked by the blocking section of the bar. Cook fails to show a base plate with tabs that define the space guiding the bar, a spring engaging the bar and the base or a operating

Art Unit: 3637

tab extending through the panel. Liu is cited showing another bar sliding on a plate of a base and a panel with tabs engaging slots in the base plate and bar wherein there is a spring 240 or 157 engaging the bar and the base for the purpose of biasing the position of the bar and the bar has a tab 232 extending through a opening in the plate 233 for the purpose of providing an operator. Gan is cited showing another computer enclosure with a sliding bar in which tabs 134 are used on two sides of the bar for the purpose of defining the guide space in which the bar slides. Since the references are from the same field of endeavor the purpose of Gan and Liu would have been obvious in the pertinent art of Cook at the time of the invention it would have been obvious for one having an ordinary skill in the art to have modified Cook with a spring 240 or 157 engaging the bar and the base for the purpose of biasing the position of the bar or a bar has a tab extending through a opening in the plate for the purpose of providing an operator in view of Liu and with tabs are used on two sides of the bar for the purpose of defining the guide space in which the bar slides in view of Gan. The applicant use of an operating block is noted but since Cook shows a operating tab and a locking tab with holes for the purpose of locking the enclosure the block servers the same purpose as some locks which in use cover the tabs they are engaged with.

~~The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.~~

Allowable Subject Matter

Claims 5, 8, 11 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims.


Art Unit: 3637

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerry Anderson whose telephone number is 703 038 2202. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 703 308 24668. The fax phone numbers for the organization where this application or proceeding is assigned are 703 305 3597 for regular communications and 703 306 4195 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 2197.

Jaa
March 23, 2003



GERALD A. ANDERSON
PATENT EXAMINER